

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

THE UNITED STATES OF
AMERICA, for the use and benefit of
John Wayne Construction, G.S.A.
Division, LLC, a Florida LLC, and
JOHN WAYNE CONSTRUCTION,
G.S.A. DIVISION, LLC, a Florida
LLC,

Plaintiffs,

v.

Case No. 3:20-cv-914-MMH-JRK

FEDERAL INSURANCE
COMPANY, an Indiana Corporation,
and SAUER INCORPORATED, a
foreign Corporation,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 18; Report) entered by the Honorable James R. Klindt, United States Magistrate Judge, on September 10, 2021. In the Report, Judge Klindt recommends that Defendants' Motion to Compel Arbitration and to Stay Claims Pending Arbitration (Dkt. No. 8) be granted; that the parties be directed to submit Plaintiffs' claims to arbitration; that this case remain stayed; and that the parties be directed to file joint status reports. See Report at 22. To date, no objections to the Report have been filed, and the time for doing so has passed.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).


Upon independent review of the file and for the reasons stated in the Magistrate Judge’s Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Report and Recommendation (Dkt. No. 18) is **ADOPTED** as the opinion of the Court.
2. Defendants’ Motion to Compel Arbitration and to Stay Claims Pending Arbitration (Dkt. No. 8) is **GRANTED**.
3. The parties are directed to submit Plaintiffs’ claims to arbitration in accordance with the Dispute Resolution section contained in the Subcontract Agreement.

4. This case remains **STAYED** pending the completion of the arbitration proceedings.
5. The Clerk of the Court is directed to terminate any pending motions and keep the case administratively closed until further Order.
6. The parties are **DIRECTED** to file a joint status report upon the conclusion of the arbitration proceedings. If the arbitration is not completed by **February 4, 2022**, then the parties shall file a joint status report at that time and every 120 days thereafter until the arbitration proceedings are completed.

DONE AND ORDERED at Jacksonville, Florida, this 4th day of October, 2021.


MARCIA MORALES HOWARD
United States District Judge

ja

Copies to:

Counsel of Record